

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Criminal Misc. No.M-4331 of 2015

Date of Decision: 11.7.2017

Kuldeep Singh

...Petitioner(s)

Versus

State of Punjab & others

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Vikas Cuccria, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 482 of the Code of Criminal Procedure, 1973 is for quashing of FIR No.63 dated 21.1.2015 under Section 135 of the Electricity Act, 2013 registered at Police Station Anti Power Theft, Verka, Amritsar.

Learned counsel for the petitioner has argued that petitioner had given shop No.3 on rent to Sunil Sharma, respondent no.3, where he opened a store in the name and design of Bath Handloom Store. However, to his surprise, respondent no.3 took a kundi connection from shop no.3, in defiance of the rent agreement between the parties. Despite various requests, when respondent no.3 did not stop the illegal use of electricity, the petitioner moved a complaint to the Commissioner of Police, Amritsar. He also filed a complaint to Sub Divisional Officer, Punjab State Power Corporation, Amritsar, respondent no.2. On account of theft committed in the premises, which is owned by the petitioner, the present FIR was

registered and in pursuance thereto, the Anti Power Theft, Verka, Amritsar issued notice under Section 41(A) CrPC to the petitioner to join investigation. Learned counsel for the petitioner has submitted that after registration of the FIR, the petitioner has deposited an amount of Rs.59,575/- along with compounding fee of Rs.10,000/-. He has further submitted that the Sub Divisional Officer, Punjab State Power Corporation Limited has written a letter to the SHO, Police Station Anti Power Theft, Verka, Amritsar that as the outstanding amount has been deposited, the police may submit cancellation report.

Learned State counsel has produced a communication dated 18.4.2017 addressed to the SHO, Police Station Anti Power Theft, Verka, Amritsar, wherein a request has been made to get the FIR in question cancelled, as the outstanding amount along with compounding fee has been deposited by the petitioner. Learned State counsel, on instructions from ASI Satpal Singh, submits that in view of the aforesaid communication dated 18.4.2017, the police is already in the process of filing cancellation report in present FIR.

Considering the fact that the petitioner has already deposited the amount due and pursuant thereto, police is in the process of filing cancellation report in the FIR in question, no further order is called for in the present petition.

Accordingly, the present petition is disposed of.

July 11, 2017
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No